

**Notice of Allowability**

Application No.

09/915,419

Examiner

Jon Hadidi

Applicant(s)

NAKAZAWA ET AL.

Art Unit

2672

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 6, 2005.
2. ☒ The allowed claim(s) is/are 1,3,4,6-15,17,18,20-27,29,30,32-40 and 42.
3. ☒ The drawings filed on 27 July 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>05112005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

  
ALMIS R. JANKUS  
PRIMARY EXAMINER

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Raymond Diperna on May 10, 2005.

The application has been amended as follows:

41. (Cancelled).

43. (Cancelled).

### ***Allowable Subject Matter***

Claims 1, 3, 4, 6-15, 17, 18, 20-27, 29, 30, 32-40, and 42 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

With regard to claim 1, the prior art taken singly or in combination fails to teach or suggest a character provision service system for providing characters to a user-side apparatus, said system comprising: generation means for generating a character capable of making a designated motion; and computation means for computing a

charge for the character on the basis of the motion of a character, wherein said computation means performs the computation on the basis of the number of parts moved in the motion.

With regard to claim 3, the prior art taken singly or in combination fails to teach or suggest a character provision service system for providing characters to a user-side apparatus, said system comprising: generation means for generating a character capable of making a designated motion; and computation means for computing a charge for the character on the basis of the motion of a character, wherein said computation means performs the computation on the basis of the number of parts moved in the motion, and the amount of movement is the number of frames in which a moving image of the character is displayed.

With regard to claim 11, the prior art taken singly or in combination fails to teach or suggest a character provision service system for providing characters to a user-side apparatus, said system comprising: generation means for generating a character capable of making a designated motion; computation means for computing a charge for the character on the basis of the motion of a character, measuring means for measuring the motion of the character, wherein said computation means performs the computation on the basis of the measured motion of the character.

With regard to claim 15, the prior art taken singly or in combination fails to teach or suggest an information processing apparatus for providing a character to a user-side apparatus, said information processing apparatus comprising: receiving means for receiving information designating a motion of the character, and computation means for

computing a charge for the character on the basis of the motion of the character, wherein said computation means performs the computation on the basis of the number of parts moved in the motion.

With regard to claim 17, the prior art taken singly or in combination fails to teach or suggest an information processing apparatus for providing a character to a user-side apparatus, said information processing apparatus comprising: receiving means for receiving information designating a motion of the character, and computation means for computing a charge for the character on the basis of the motion of the character, wherein said computation means performs the computation on the basis of the amount of movement of the motion, and the amount of movement is the number of frames in which a moving image of the character is displayed.

With regard to claim 25, the prior art taken singly or in combination fails to teach or suggest an information processing apparatus for providing a character to a user-side apparatus, said information processing apparatus comprising: receiving means for receiving information designating a motion of the character; computation means for computing a charge for the character on the basis of the motion of the character; and measuring means for measuring the motion of the character, wherein said computation means performs the computation on the basis of the measured motion of the character.

With regard to claim 27, the prior art taken singly or in combination fails to teach or suggest an information processing apparatus provided with characters from a character providing apparatus, said information processing apparatus comprising: designation means for designating a motion of the character; and display means for

displaying the character moving on the basis of the designation by said designation means, wherein said designation means designates the number of parts moved in the motion.

With regard to claim 29, the prior art taken singly or in combination fails to teach or suggest an information processing apparatus provided with characters from a character providing apparatus, said information processing apparatus comprising: designation means for designating a motion of the character; and display means for displaying the character moving on the basis of the designation by said designation means, wherein said designation means designates an amount of movement of the motion, and the amount of movement is the number of frames in which a moving image of the character is displayed.

With regard to claim 40, the prior art taken singly or in combination fails to teach or suggest a method of controlling an information processing apparatus for providing a character to a user-side apparatus, said method comprising the steps of: receiving information designating a motion of the character; and computing a charge for the character on the basis of the motion of the character, wherein, in said computing step, the computation is performed on the basis of the number of parts moved in the motion.

With regard to claim 42, the prior art taken singly or in combination fails to teach or suggest a recording medium on which a program for controlling an information processing apparatus for providing a character to a user-side apparatus is stored, said program comprising the steps of: receiving information designating a motion of the character; and computing a charge for the character on the basis of the motion of the

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character, wherein, in said computing step, the computation is performed on the basis of the number of parts moved in the motion.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon Hadidi whose telephone number is 571-272-7641. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JH

  
ALMIS R. JANKUS  
PRIMARY EXAMINER